

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

* * *

Steven Eric Gould,

Case No. 2:23-cv-00324-CDS-BNW

Plaintiff,

REPORT AND RECOMMENDATION

V.

Nevada Department of Corrections, et al.,

Defendants.

Plaintiff initiated this case on March 1, 2023. ECF No. 1. Plaintiff's first filing did not include a filing fee or an application to proceed *in forma pauperis* (IFP). *Id.* Accordingly, the Court ordered Plaintiff to file an IFP application or pay the filing fee by April 3, 2023. ECF No. 3. The Court advised Plaintiff that a failure to comply with its order would result in a recommendation that this case be dismissed. *Id.* Since this last order, Plaintiff has not filed an IFP application or paid the filing fee.¹

IT IS THEREFORE RECOMMENDED that Plaintiff's case be dismissed without prejudice and this case closed.

²⁷ Plaintiff filed a letter at ECF No. 3-2, wherein he states that this is a criminal matter and that he would like the Clerk of Court to “cancel the previously filed instruments in this action” and forward them to the United States Attorneys. Accordingly, it appears Plaintiff may not have intended to open this civil case.

NOTICE

This report and recommendation is submitted to the United States district judge assigned to this case under 28 U.S.C. § 636(b)(1). A party who objects to this report and recommendation may file a written objection supported by points and authorities within fourteen days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991).

DATED: April 17, 2023

Brenda Weksler
Brenda Weksler
United States Magistrate Judge